

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

LAND ACQUISITION-SRBC-Nandyal Unit- Lands Acquired in Vanal (V) – Pamulapadu (M)-Kurnool Dist-EP No. 54/2006 in OP.No.163/90-Senior Civil Judge, Atmakur issued proclamation orders-case posted to 04/06/2009 for sale of R& B Guest House-Atmakur for realization of decretal charges an amount of Rs.2,24,545/-Sanction orders-Issued.

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IRRIGATION&CAD(PW.LA.II)DEPARTMENT

G.O.Rt.No. 815

Dated:22-10-2009

Read

1. From the Chief Commissioner of Land Acquisition,  
A.P.Hyderabad Lr.No. SRP4/429/09, Dt: 01.09.2009.

O R D E R;

In the reference read above, the CCLA, AP,Hyderabad has reported that the Spl. Dy. Collector (LA) had acquired the lands in Survey No. 285/2A1 and 285/2C1, for an extent of ac. 4.05 cts of Vanala(V) by fixing the Market value @ Rs. 10,000/- p.a. through Award No. 9/89-90, dt. 25/1/90 for Borrow area of SRBC. Aggrieved with the market value Awarded by the LAO, the awardees have filed petitions u/s 18(1) of LA Act to with a request to refer the matter to the Civil Court for adjudication. On the reference made by the SDC, LA, Unit, PJP, Gadwal U/s 18 of LA Act the Lower Court, the Senior Civil Judge, Atmakur had delivered judgements enhancing the market value from Rs. 10,000/- to Rs. 49,000/- p.a. in OP No. 163/90. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, SRBC, Nandyal has filed appeals in the Hon'ble High court of A.P., Hyderabad and the same was also dismissed as CMP No. 13559/97 in ASSR No. 29508/97, dt. 22/9/97. The LPA filed in this case was also dismissed on 8/1/2001 by the Divisional Bench. Further, the SDC has stated that the SLP was filed in the Supreme Court was also dismissed in CC No. 6305/2992, dt. 16/8/2002. Then the SDC has submitted the decretal proposals for Rs. 6,37,388/- duly calculating interest on 30% Solatium and 12% AMV. The then Special Deputy Collector has submitted revised proposals without calculating the interest on 30% Solatium and 12% AMV for an amount of Rs. 5,38,056/- which was sanctioned as per G.O.Rt.No. 828, I&CAD (PW SLM) Dept., dt. 10/11/03 and the same was deposited in the Court on 12/1/04. The Spl. Collector, LA, SSP., has stated that the DHR filed in EP No. 54/2006 and the Senior Civil Judge, Atmakur has issued Attachment order for sale R&B Guest House, Atmakur for realization of decretal amount being interest on 30% Solatium and 12% AMV which works out to Rs. 2,24,545/-.

2. Government after carefully examined the matter hereby sanction for an amount of Rs. 2,24,545/ ( Rupees Two Lakhs Twenty Five thousands Five hundred and Fourty five only) towards final decretal charges in respect of OP No. 163/90 pertaining to Vanala (V), Pamulapadu (M), Kurnool District subject to verification whether the reference under section 18(1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that the Section 18 reference was made contrary to the rules/guidelines

issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land ;acquired. Further the District Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

3. The District Collector, Kurnool District is directed to follow the directions issued by the Hon'ble Court in W.P.No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No. 163/90 for avoiding intervention of the middlemen.

4. The expenditure sanctioned above shall be debitable to Head of Account under "2701- COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 – SRBC; G.H.11 – Normal State Plan; S.H.(26) D&A Works; 530 – Major Works; 532 – Lands (Charged)".

In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This order issues with the concurrence of Finance (W&P) Department vide their U.O.No. 3675/F4(1)/09-1, Dated: 23-09-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)  
RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT

To  
The Secretary to the CCLA, A.P.Hyderabad  
The District Collector, Kurnool  
The Chief Engineer, Irrigation, Hyderabad  
The Special Deputy Collector,(LA), SRBC, Nandyal Unit, Kurnool  
The Special Collector, Srisailem Project, Kurnool  
The Revenue Divisional Officer, Kurnool  
The Superintending Engineer, I & CAD, Srisailem  
The Director of Works Accounts, Hyderabad  
Copy to:  
P.S. to Minister (M & MI)  
Finance (W & P) Dept  
C.No. 23398/L.a.II(1)/09  
S.F/S.Cs

//FORWARDED::BY ORDER//

SECTION OFFICER